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April 7, 1989

**DIVISION OF
OIL, GAS & MINING**

Mr. Lowell P. Braxton, Administrator
Mineral Resource Development
and Reclamation Program
Department of Natural Resources
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Mr. Braxton,

I talked to you by phone Thursday, April 6, 1989. You suggested I write a letter explaining our problem with SM Mining Company. This letter is an effort to comply with your request.

In 1974, a company with which I was involved, as well as two other parties, applied to drill a well in a BLM corridor above our property in what was then known as Hidden Valley near Leeds, Utah. Our application was granted. Our well was drilled, and we found the water we needed. However, it was found that one of the parties involved, a man named Orvin Nielsen, had built a house on BLM land. The BLM refused to give us access, a power line in, and a water line out, until the trespass problem was solved. We had surface water rights, including ditches, ponds, and right-of-ways that we were able to use, so with a gas powered pump, we dumped our water into a pond.

I, personally worked with the BLM for three years, trying to solve the problem, but Nielson would not take down the house, and the BLM was adamant. In 1981, SM Mining Company, with Jerry Glazier as president, started to mine and put in leach ponds above our well. Jerry came to us and offered to buy our well site, then without consulting us, he trespassed over our, as well as BLM property, with a power line, pulled our pump, replaced it with his own electric pump, and started to pump our well. He promised to re-imburse us for the well sight, as well as help us find water on our own land. We drew up a contract, but he refused to sign it. He did not re-imburse us for the full amount he owed us, and did not meet any of the terms of the contract which he verbally had agreed to. We drilled six dry holes before we found inferior and limited water on our own property.

Anyway, the trespass problem was cleared up. Then SM went bankrupt. We approached Jerry, suggesting that he allow us to take back our well. He refused. Last December, the BLM, in a letter to me, said that they would give us access to the well. Because of that promise, we started and have completed a \$175,000 improvement project here in our Valley. I received the right-of-way from the BLM, but the grant included a statement, "Subject to mining claims."

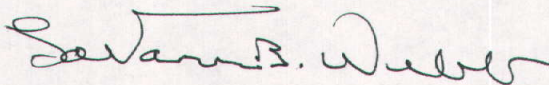
Now, every time I appear before an government agency, Jerry Glazier is there to harrass me (the state engineer's office to obtain a change in point of diversion for our water, as well as the county planning commission for our preliminary and final sub-division approvals). He tells these agencies that SM contaminated the underground water in their mining process,

therefore we should not be allowed to use the water in either of our wells, and that we actually have no water rights. The agencies have not listened to him, but we have had to take tests of both wells to prove that the water at the present time is not contaminated, and we have had to prove that we do have enough water to satisfy our development needs, but when we go for approval of our second phase, which is totally dependent upon the water in the well in the BLM corridor, Jerry Glazier will be there to protest.

With BLM permission, we are running an underground power line in and water line out, to and from the well. We will be pumping that well. With your permission, we want to monitor the water from the well to see that it is not contaminated in the clean up process. Jerry Glazier might protest and say that he is the one that should do the monitoring, but that would be like giving the fox the key to the lock on the hen house.

There has been no mining in that particular part of the BLM corridor for 40 or more years. However, our well, ponds, ditches, and right-of-way are located on what is known as the New California claim, but they are located down stream about 500 yards from the SM operation, so it is imperative that the monitoring process take place. Will you grant us permission to do so, and thereby, prevent Jerry Glazier from continuing his harrassment?

Sincerely,

A handwritten signature in dark ink, appearing to read "LaVarr B. Webb". The signature is fluid and cursive, with a long horizontal stroke at the end.

LaVarr B. Webb
Agent, Silver Valley Estates
Box 801
Leeds, Utah 84746